

Article - Public Safety

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§13–510.

(a) (1) The Governor shall appoint and commission each commissioned officer or appoint each warrant officer of the organized militia on recommendation of the Adjutant General.

(2) The appointments under paragraph (1) of this subsection do not require confirmation by the Senate of Maryland.

(b) (1) Each individual commissioned or appointed as an officer or warrant officer shall be:

(i) an officer, warrant officer, or enlisted individual of the National Guard;

(ii) a retired or former officer or warrant officer of the United States Army, Navy, Marine Corps, Air Force, or Coast Guard or any auxiliary thereof;

(iii) an individual with prior enlisted service in the United States Army, Navy, Marine Corps, Air Force, or Coast Guard, or any auxiliary thereof;

(iv) a graduate of the United States Military Academy, Naval Academy, Coast Guard Academy, Merchant Marine Academy, or Air Force Academy;

(v) a graduate of a school, college, university, or officers' training school who received military instruction under the supervision of an officer of the United States Army, Navy, Marine Corps, Air Force, or Coast Guard who certified the graduate's fitness for appointment as a commissioned officer; or

(vi) an individual not otherwise identified in items (i) through (v) of this paragraph who is specially qualified for service by achievement in any professional, technical, or public service capacity or otherwise displays extraordinary qualifications for commissioning as an officer of the Maryland Defense Force.

(2) Before taking office, each member of the National Guard shall take the oath prescribed in § 13–407 of this title and each member of the Maryland Defense Force shall take the oath prescribed in § 13–509 of this subtitle.

(c) When initially appointed, a general officer or colonel of the organized militia must:

- (1) be an officer in the National Guard of a grade of O-4 or higher; or
- (2) have served in any component or auxiliary of the United States Army, Navy, Marine Corps, Air Force, or Coast Guard or National Guard with the grade of O-4 or higher.

(d) When initially appointed, a lieutenant-colonel or major of the line must have had service as an officer for at least 2 years in any component or auxiliary of the United States Army, Navy, Marine Corps, Air Force, or Coast Guard or National Guard.

(e) Subsections (c) and (d) of this section do not apply in the case of:

- (1) officers promoted to the grade of major or above from within the Maryland Defense Force; or
- (2) officers qualified under subsection (b)(1)(vi) of this section.

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